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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/853,128 05/10/01 CORNELL

J PDY-101-A

EXAMINER

MMC2/1107

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ART UNIT

PAPER NUMBER

2839

DATE MAILED:

11/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/853,128	Applicant(s) CORNELL ET AL.	
	Examiner Thanh-Tam T Le	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 5-9 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1, 3, 5-6 and 10 are objected to because of the following informalities:

In claim 1, line 4, "the electrical cable output port member" lacks an antecedent basis.

In claim 1, line 6, "said outlet port member" should be changed – said electrical cable output port member—

In claim 3, lines 3 and 4; in claim 5, lines 2 and 3 and in claim 6, line 3, "said member" should be changed – said electrical cable output port member—

In claim 10, line 5, "strip-like plates" should be changed –strip-like configuration—

In claim 10, lines 9 and 10, "stabs" should be changed –plate-like stabs--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Schaller (5,645,443).

Schaller, figure 6, discloses a busbar (20) comprising the integral combination of a plate of conductive metal having a strip-like configuration, a plurality of L-shaped openings (35) formed in the strip-like plates at regularly spaced intervals there along and opening to one edge of the plate, a plurality of plate-like stabs (26) integral with the plate and projecting in parallel spaced relationship to one another from the peripheral edge of the plate. The stabs being defined in part by the L-shaped openings whereby the stabs may be folded out of the plane of the plate.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al. (5,479,505) in view of Farr et al. (5,726,392).

Butler et al., figure 4, disclose in combination comprising a housing (26) for electrical devices including at least one panel. An electrical cable output port member (45) adapted to be removably secured to the panel. The electrical cable output port member comprising the plurality of cable outlet ports each defined by integral means for unidirectionally resisting passage of an electrical cable there through, a conductive metallic busbar (29) mounted to the housing and having a plurality of spaced, parallel

stabs projecting into the interior of the housing to receive circuit breakers (40) in operable association therewith.

Butler et al. disclose the instant claimed invention as described above except for the panel having an opening.

Farr et al., figure 2, disclose a communications housing having grommet assembly including a housing wall (22) defines access openings (44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the opening as suggested by Farr et al., in order to enable branch cables to be routed away from the housing from the terminal connector (see Farr et al.'s abstract).

Regarding claim 2, Butler et al. disclose the member and the housing are constructed of plastic.

Regarding claim 3, it is noted that Farr et al., figure 2, disclose the panel further comprising a peripheral flange (18) and a seat around the opening. The member in the installed position resting within the opening and on the seat. The combination further comprising means for securing the member within the opening.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al. and Farr et al. as applied to claim 1 above, and further in view of Michaelis et al. (5,241,136).

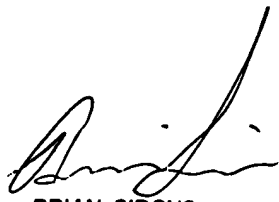
Butler et al. and Michaelis et al. disclose the instant claimed invention as described above except for means comprising screws.

10 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T Le whose telephone number is (703) 306-5711. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703) 308-3119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

TL
October 29, 2001


BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800